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Attorney Docket No. 998-928

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Putt et al.

Confirmation No.: 4153

Serial No.: 10/797,775

Group Art Unit: 3612

Filed: March 10, 2004

Examiner: Engle, Patricia Lynn

For: **LOAD BEARING VEHICLE FLOOR MATS**

Date: February 20, 2006

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**TRANSMITTAL OF APPEAL BRIEF
(PATENT APPLICATION--37 C.F.R. § 41.37)**

1. Transmitted herewith is the APPEAL BRIEF for the above-identified application, pursuant to the Notice of Appeal filed on January 31, 2006.

2. This application is filed on behalf of

a small entity.

3. Pursuant to 37 C.F.R. § 41.20(b)(2), the fee for filing the Appeal Brief is:

<input type="checkbox"/> small entity	\$250.00
<input checked="" type="checkbox"/> other than small entity	\$500.00

Appeal Brief fee due \$500.00

Any additional fee or refund may be charged to Deposit Account 50-0220.

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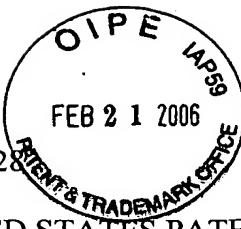
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Erin A. Campion



Attorney Docket No. 998-928

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APPELLANTS' BRIEF ON APPEAL UNDER 37 C.F.R. §1.191

Sir:

This Appeal Brief is filed pursuant to the "Notice of Appeal to the Board of Patent Appeals and Interferences" filed January 31, 2006.

It is not believed that an extension of time is required. In the event, however, that an extension of time is necessary to allow consideration of this paper, such an extension is hereby petitioned under 37 C.F.R. §1.136(a). Any additional fees believed to be due in connection with this paper may be charged to our Deposit Account No. 50-0220.

Real Party In Interest

The real party in interest is assignee Collins & Aikman Products Co. of Troy, Michigan.

Related Appeals and Interferences

Appellants are aware of no appeals or interferences that would be affected by the present appeal.

Status of Claims

Appellants appeal the final rejection of pending Claims 1-39 which, as of the filing date of this Brief, remain under consideration. The attached Claims Appendix presents the claims at issue as finally rejected in the Final Office Action mailed October 14, 2005.

Status of Amendments

The attached Claims Appendix presents the claims as amended by the Response to Final Office Action of October 14, 2005 which was received by the U.S. Patent and Trademark Office on December 19, 2005. These Amendments were entered as set forth in the Advisory Action mailed January 9, 2006.

Summary of the Claimed Subject Matter

1. Independent Claim 1

Independent Claim 1 is directed to a vehicle floor mat **20** that includes a pliable layer **22** that is configured to overlie a defined area of a vehicle floor **12** having a recessed portion **14**. The floor mat **20** includes a rigid member **24** that is disposed within the pliable layer **22** and that has a width **W** that is sufficient to span the recessed portion **14**. The rigid member **24** renders the pliable layer **22** substantially non-pliable above the recessed portion **14** such that the floor mat **20** can support a load placed thereon.

An embodiment of the vehicle floor mat **20** is illustrated in **Fig. 2** and described at Page 5, Line 34 through Page 6, Line 15 of Appellants' application. Claim 1 has been rewritten below to include reference numerals that indicate where the elements of Claim 1 are found in the embodiment depicted in **Fig. 2** of the application.

1. A vehicle floor mat (20), comprising:
a pliable layer (22) configured to overlie an area of a vehicle floor (12); and
a rigid member (24) attached to a portion of the pliable layer (22), wherein the rigid member (24) has a width (W) less than a width and length of the pliable layer (22), but sufficient to span a recessed portion (14) in the vehicle floor area such that the pliable layer (22) is rendered substantially non-pliable above the recessed portion (14), and such that the floor mat (20) is self-supporting and can independently support

a load placed thereon above the recessed portion (14), without any external support from within the recessed portion (14).

Independent Claim 36 is directed to a vehicle **11** having a floor with a recessed portion **14** and a floor mat **20** overlying the recessed portion, wherein the floor mat **20** includes a rigid member **24** as recited in Claim 1 and illustrated in the embodiment depicted in **Fig. 2**.

2. Independent Claim 18

Independent Claim 18 is directed to a vehicle floor mat **20** that includes a pliable layer **22** that is configured to overlie a defined area of a vehicle floor **12** having a recessed portion **14**. The floor mat **20** includes a rigid member **24** that is disposed within the pliable layer **22** and that has a width **W** that is sufficient to span the recessed portion **14**. The rigid member **24** renders the pliable layer **22** substantially non-pliable above the recessed portion **14** such that the floor mat can support a load placed thereon. The rigid member **24** includes a plurality of spaced-apart apertures **40** formed therethrough that reduce the weight of the floor mat **20**.

An embodiment of the floor mat **20** is illustrated in **Figs. 5-5a** and described at Page 7, Line 33 through Page 8, Line 6 of Appellants' application. Claim 18 has been rewritten below to include reference numerals that indicate where the elements of Claim 18 are found in the embodiment depicted in **Figs. 5-5a** of the application.

18. A vehicle floor mat (20), comprising:
a pliable layer (22) configured to overlie an area of a vehicle floor (12); and
a rigid member (24) disposed within the pliable layer (22), wherein the rigid member (24) comprises a plurality of spaced-apart apertures (40) formed therethrough, wherein the rigid member (24) has a width (W) less than a width and length of the pliable layer (22), but sufficient to span a recessed portion (14) in the vehicle floor area such that the pliable layer (22) is rendered substantially non-pliable above the recessed portion (14), and such that the floor mat (20) is self-supporting and can independently support a load placed thereon above the recessed portion (14), without any external support from within the recessed portion (14).

Independent Claim 37 is directed to a vehicle **11** having a floor with a recessed portion **14** and a floor mat **20** overlying the recessed portion, wherein the floor mat **20** includes a rigid member **24** with a plurality of spaced-apart apertures **40** as recited in Claim 18 and illustrated in the embodiment depicted in **Figs. 5-5a**.

3. Independent Claim 23

Independent Claim 23 is directed to a vehicle floor mat **20** having two pliable layers **22** pivotally secured together along respective peripheral edge portions **23** via a hinge **25**. The two pliable layers **22** are movable relative to one another between a stored position in overlying, face-to-face relationship and an operative position substantially coplanar with each other. The two pliable layers **22** each include one or more rigid members **24** that render the pliable layers **22** substantially non-pliable above a recessed portion **14** such that the floor mat **20** can support a load placed thereon. An embodiment of the floor mat **20** is illustrated in **Figs. 6-7** and described at Page 8, Lines 11-24 of Appellants' application. Claim 23 has been rewritten below to include reference numerals that indicate where the elements of Claim 23 are found in the embodiment depicted in **Figs. 6-7** of the application.

23. A vehicle floor mat (20), comprising:

- a first pliable layer (22) configured to overlie an area of a vehicle floor;
- a second pliable layer (22) pivotally secured to the first pliable layer (22) and movable between a stored position overlying the first pliable layer (22) in face-to-face relationship therewith and an operative position substantially coplanar with the first pliable layer (22);
- a first rigid member (24) disposed within the first pliable layer (22); and
- a second rigid member (24) disposed within the second pliable layer (22);
- wherein the first and second rigid members (24) each have a width less than a width and length of the first and second pliable layers (22), but sufficient to span a recessed portion (14) in the vehicle floor area such that the respective first and second pliable layers (22) are rendered substantially non-pliable above the recessed portion (14), and such that the floor mat (20) is self-supporting and can independently support a load placed thereon above the recessed portion (14), without any external support from within the recessed portion (14).

Independent Claim 38 is directed to a vehicle 11 having a floor with a recessed portion 14 and a floor mat 20 overlying the recessed portion, wherein the floor mat 20 includes first and second pliable layers 22 pivotally secured together and having respective first and second rigid members 24, as recited in Claim 23 and illustrated in the embodiment depicted in **Figs. 6-7**.

4. Independent Claim 29

Independent Claim 29 is directed to a vehicle floor mat 20 having a pliable layer 22 and a plurality of rigid members 24 in adjacent, spaced-apart relationship. An embodiment of the floor mat 20 is illustrated in **Fig. 4** and described at Page 7, Lines 24-32 of Appellants' application. Claim 29 has been rewritten below to include reference numerals that indicate where the elements of Claim 29 are found in the embodiment depicted in **Fig. 4** of the application.

29. A vehicle floor mat (20), comprising:
a pliable layer (22) configured to overlie an area of a vehicle floor; and
a plurality of adjacent, spaced-apart rigid members (24) attached to the pliable layer (22), wherein each rigid member (24) has a width less than a width and length of the pliable layer (22), but sufficient to span a recessed portion (14) in the vehicle floor area such that the pliable layer (22) is rendered substantially non-pliable above the recessed portion (14), and such that the floor mat (20) is self-supporting and can independently support a load placed thereon above the recessed portion (14), without any external support from within the recessed portion (14).

Independent Claim 39 is directed to a vehicle 11 having a floor with a recessed portion 14 and a floor mat 20 overlying the recessed portion, wherein the floor mat 20 includes a plurality of rigid members 24 in adjacent, spaced-apart relationship, as recited in Claim 29 and illustrated in the embodiment depicted in **Fig. 4**.

Grounds of Rejection to be Reviewed on Appeal

Claims 1, 4, 6, 29, 32, 34, 36 and 39 stand rejected under 35 U.S.C. §102(b) as being anticipated by Japanese Patent No. 61-249850 to Kazama ("Kazama").

Claims 2, 3, 5, 7-28, 30, 31, 33, 35, 37 and 38 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kazama in view of U.S. Patent No. 6,102,464 to Schneider et al. ("Schneider").

Arguments

I. §102 Rejections Are Overcome

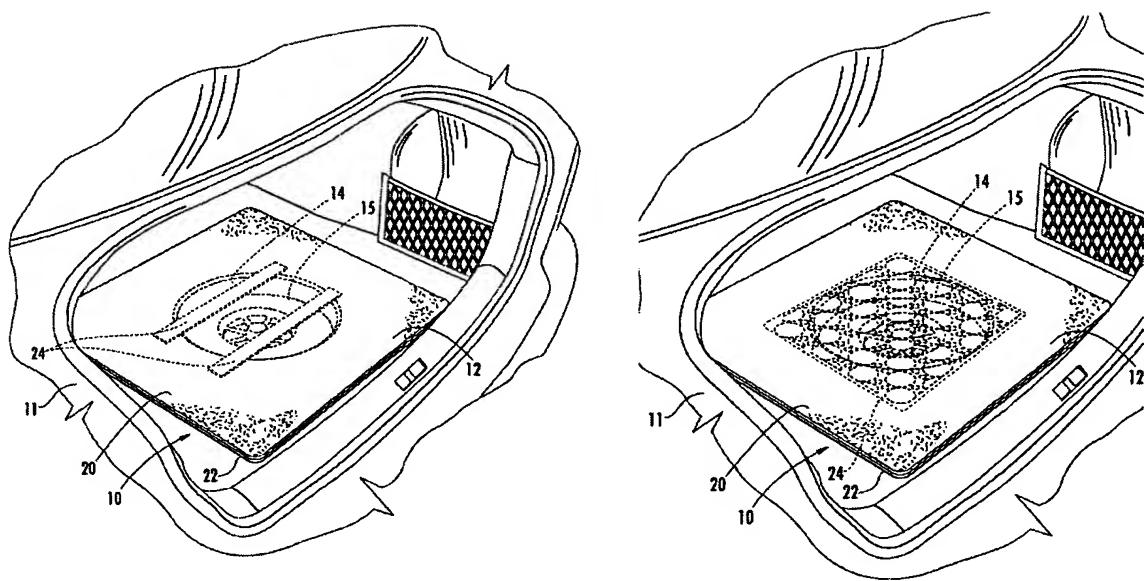
A claim is anticipated under 35 U.S.C. §102 if each claimed element is found in a single prior art reference. *Scripps Clinic & Research Foundation v. Genentech, Inc.*, 927 F.2d 1565, 1576 (Fed. Cir. 1991); *Carella v. Starlight Archery and Pro Line Co.*, 804 F.2d 135, 138 (Fed. Cir. 1986). There must be no difference between the claimed invention and the reference disclosure, as viewed by an ordinary artisan. *Scripps Clinic & Research Foundation v. Genentech, Inc.*, 927 F.2d at 1576.

Appellants' independent Claim 1 recites a vehicle floor mat, comprising:

a pliable layer configured to overlie an area of a vehicle floor; and
a rigid member attached to a portion of the pliable layer, wherein the ***rigid member has a width less than a width and length of the pliable layer***, but sufficient to span a recessed portion in the vehicle floor area such that the pliable layer is rendered substantially non-pliable above the recessed portion, and such that the floor mat is ***self-supporting*** and can ***independently support*** a load placed thereon above the recessed portion, ***without any external support from within the recessed portion***.

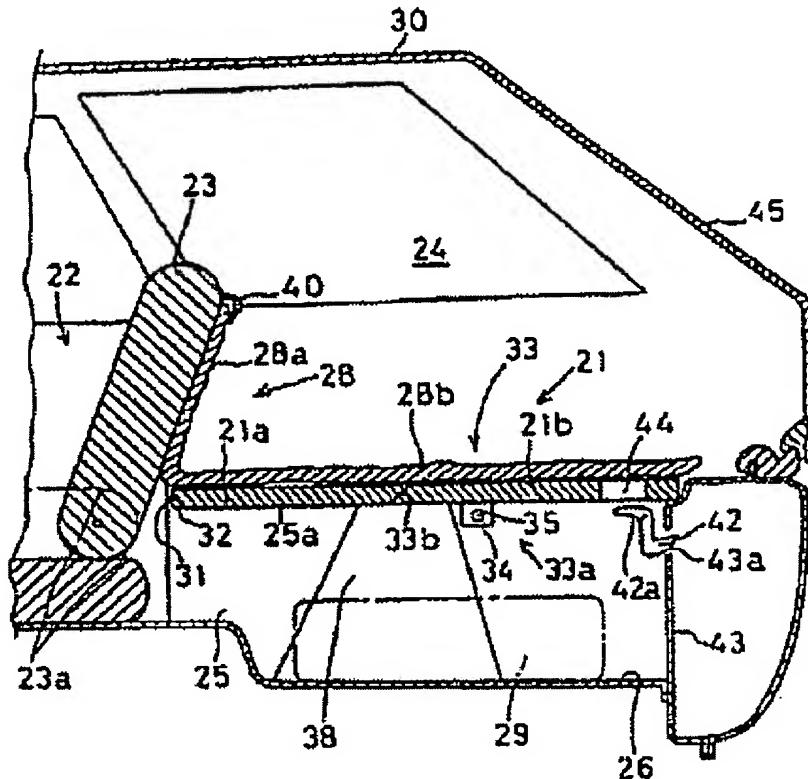
Claims 9, 18, 23, 29 and 36-39 contain similar recitations.

Independent Claims 1, 9, 18, 23, 29 and 36-39 all recite that a floor mat that includes a rigid member that has a width that is less than both the width and length of a respective pliable layer that is attached thereto. This can be seen, for example, in Figs. 4 and 5 from Appellants' application (set forth below), which clearly illustrate a rigid member having a width less than a width and length of a pliable layer, as recited in Claim 1.



In all of Appellants' claimed embodiments, the rigid member does not extend all the way to the periphery of the pliable layer. Instead, each rigid member has a width that is sufficient to span a recessed portion, but that is less than the width and length of the pliable layer, as illustrated.

Kazama does not teach or suggest a vehicle floor mat as recited in Appellants' independent Claim 1. In fact, Kazama is directed to a vehicle floor board structure and has nothing whatsoever to do with floor mats. Fig. 1 from Kazama is set forth below.



The stated purpose of the Kazama structure is to "prevent a rear board from bouncing and to ensure sufficient safety, by providing a guide mechanism for guiding the rear board so that the rear board moves below a front board when the rear board receives a load from the rear side of the vehicle." (Kazama, Abstract). Kazama describes a center floor board 21 that is divided longitudinally and that is composed of two plates, a front board 21a and a rear board 21b, and is set on a rail 25 on a floor side box 25 in a suspended condition. The front and rear boards 21a, 21b are formed so that the board 21 is lower at its front side and higher at its rear side, and are jointed together with no gap therebetween to form a single plate-like structure. Further, they are arranged to form a guide mechanism 33 which allows the rear board 21b to move below the front board 21 when the rear board 21b receives a load from the rear side of the vehicle. With this arrangement, in addition to absorbing loads, it is possible to prevent the rear board from bouncing. (Kazama, Abstract)

Kazama fails to describe a vehicle floor mat that includes a pliable layer configured to overlie an area of a vehicle floor. Kazama also fails to describe a rigid member attached to a portion of a pliable layer of a floor mat that has a width less than a width and length of the pliable layer. Kazama fails to describe a floor mat with a pliable layer that is rendered substantially non-pliable above a recessed portion, and such that the floor mat is self-supporting and can independently support a load placed thereon above the recessed portion, without any external support. To the contrary, the Kazama floor board structure utilizes a rail 25 to support the front and rear boards 21a, 21b.

As viewed by the ordinary artisan, there is a great difference between Appellants' mat as claimed in independent Claim 1 and the Kazama floor board structure. Because Kazama does not disclose all of the recited elements of independent Claim 1, Claim 1 and all claims depending therefrom are not anticipated by Kazama. For at least the same reasons, independent Claims 18, 23, 29 and 36-39, and all claims depending therefrom, are not anticipated by Kazama.

In view of the above, the rejections under 35 U.S.C. §102 should be reversed.

II. §103 Rejections Are Overcome

A determination under §103 that an invention would have been obvious to someone of ordinary skill in the art is a conclusion of law based on fact. *Panduit Corp. v. Dennison Mfg. Co.* 810 F.2d 1593, 1 U.S.P.Q.2d 1593 (Fed. Cir. 1987), *cert. denied*, 107 S.Ct. 2187. After the involved facts are determined, the decision maker must then make the legal determination of whether the claimed invention as a whole would have been obvious to a person having ordinary skill in the art at the time the invention was unknown, and just before it was made. *Id.* at 1596. The United States Patent and Trademark Office (USPTO) has the initial burden under § 103 to establish a *prima facie* case of obviousness. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988).

To establish a *prima facie* case of obviousness, the prior art reference or references when combined must teach or suggest *all* the recitations of the claims, and there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. M.P.E.P. § 2143. The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. M.P.E.P. § 2143.01 (citing *In re Mills*, 916 F.2d 680, 16 U.S.P.Q.2d 1430 (Fed. Cir. 1990)). As emphasized by the Court of Appeals for the Federal Circuit, to support combining references, evidence of a suggestion, teaching, or motivation to combine must be **clear and particular**, and this requirement for clear and particular evidence is not met by broad and conclusory statements about the teachings of references. *In re Dembicza*k, 50 U.S.P.Q.2d 1614, 1617 (Fed. Cir. 1999). The Court of Appeals for the Federal Circuit has stated that, to support combining or modifying references, there must be **particular** evidence from the prior art as to the reason the skilled artisan, with no knowledge of the claimed invention, would have selected these components for combination in the manner claimed. *In re Kotzab*, 55 U.S.P.Q.2d 1313, 1317 (Fed. Cir. 2000).

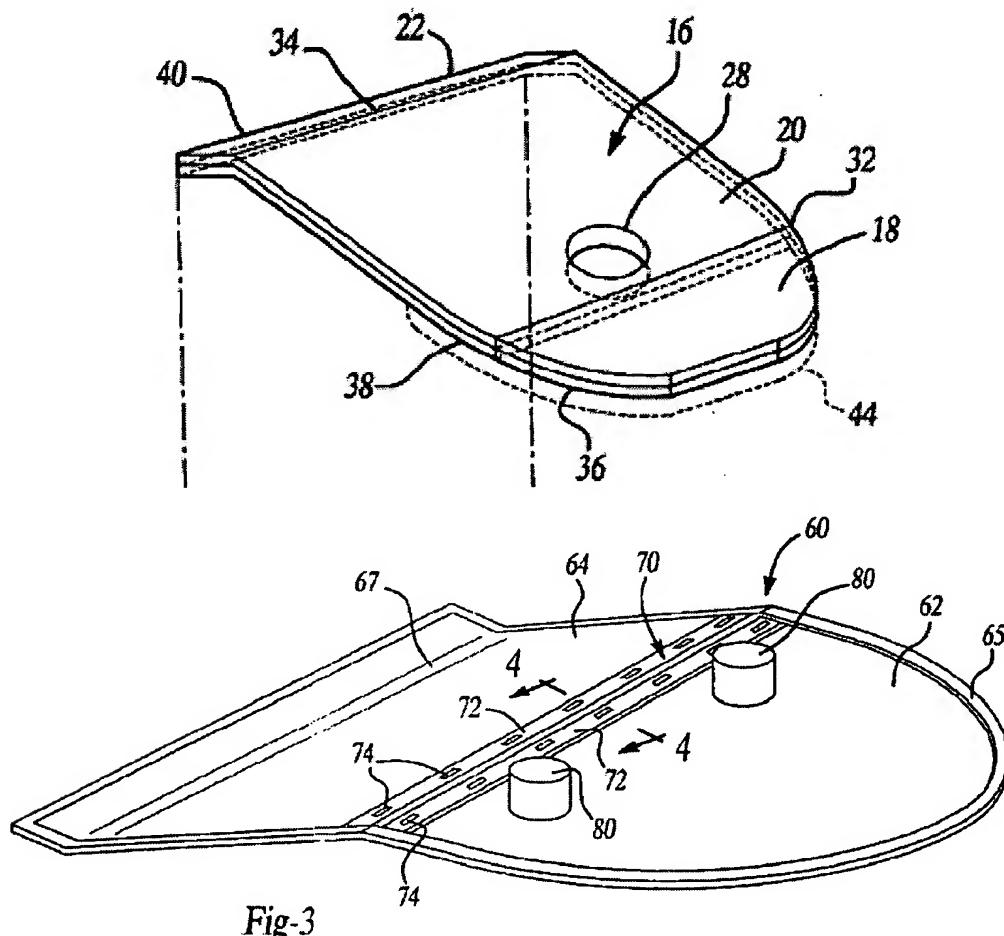
Furthermore, as stated by the Federal Circuit with regard to the selection and combination of references:

This factual question of motivation is material to patentability, and could not be resolved on subjective belief and unknown authority. It is improper, in determining whether a person of ordinary skill would have been led to this combination of references, simply to "[use] that which the inventor taught against its teacher." W.L. Gore v. Garlock, Inc., 721 F.2d 1540, 1553, 220 USPQ 303, 312-13 (Fed. Cir. 1983). Thus the Board must not only assure that the requisite findings are made, based on

evidence of record, but must also explain the reasoning by which the findings are deemed to support the agency's conclusion....

In re Sang Su Lee, 277 F.3d 1338, 1343 (Fed. Cir. 2002).

The secondary reference, Schneider, describes a spare tire storage compartment cover that has at least two sections joined by a living hinge. Schneider does not describe or suggest a vehicle floor mat. Moreover, in each of the embodiments of Schneider, the rigid panels of the spare tire cover (*e.g.*, 36, 38, 40 in Fig. 1, and 62, 64 in Figs. 3-4) extend all the way to the periphery of the spare tire cover in all directions. **Fig. 1** and **Fig. 3** of Schneider are set forth below.



Clearly, none of the rigid panels in Schneider has a width that is substantially less than a width or length of the spare tire cover.

The combination of the floor board structure of Kazama and the spare tire storage compartment cover of Schneider fails to teach or suggest a vehicle floor mat. Appellants

respectfully submit that two references that individually fail to teach or suggest a vehicle floor mat cannot be combined to teach a vehicle floor mat.

Furthermore, the combination of Kazama and Schneider fails to teach or suggest a vehicle floor mat that includes a pliable layer configured to overlie an area of a vehicle floor, and a rigid member attached to a portion of the pliable layer, wherein the rigid member has a width less than a width and length of the pliable layer, but sufficient to span a recessed portion in the vehicle floor area such that the pliable layer is rendered substantially non-pliable above the recessed portion. Moreover, the combination of Kazama and Schneider fails to teach or suggest a floor mat that is self-supporting and that can independently support a load placed thereon above the recessed portion, without any external support from within the recessed portion. The Kazama floor board structure utilizes a rail **25** to support the front and rear boards **21a, 21b**.

As such, independent Claim 1 and all claims depending therefrom are not rendered obvious by Kazama or Schneider, alone or in combination. For at least the same reasons, independent Claims 18, 23, 29 and 36-39, and all claims depending therefrom, are not rendered obvious by Kazama or Schneider, alone or in combination.

The Final Action concedes that Kazama fails to disclose rigid members comprising a plurality of spaced-apart apertures formed therethrough, as recited in Appellants' Claims 7, 15, 18-20, 22, 28 and 35. However, the Final Action concludes that it would be obvious to one of ordinary skill in the art to include a plurality of spaced-apart apertures because of the motivation to reduce the weight of the floor mat and therefore increase the fuel efficiency of the vehicle. (Final Action, Page 5). The Final Action provides no clear and particular evidence from either Kazama or Schneider for this conclusion. In fact neither Kazama nor Schneider teaches or suggests rigid members having a plurality of spaced-apart apertures. Moreover, nothing in either Kazama or Schneider teaches or suggests that it would be desirable to reduce the weight of the floor board structure (Kazama) or cover elements (Schneider). Weight does not appear to be of concern based upon the design of either the Kazama floor board structure or the Schneider cover because no alternative materials that are specifically described as being lighter are suggested or described and because no alternative configurations of the floor board structure (Kazama) or cover elements (Schneider) are suggested or described. As such, one skilled in the art would not be motivated based upon the teachings of either Kazama or Schneider to modify the Kazama floor board structure or the Schneider cover elements by forming apertures therein.

Accordingly, Appellants respectfully request reversal of the present rejections of Claims 7, 15, 18-20, 22, 28 and 35 under 35 U.S.C. §103 for at least this additional reason.

Conclusion

In light of the above discussion, Appellants submit that each of the pending claims is patentable over the cited references and, therefore, request reversal of the rejections of Claims 1-39.

Respectfully submitted,



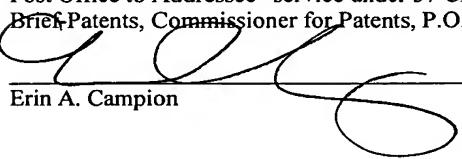
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Erin A. Campion

CLAIMS APPENDIX
Pending Claims Serial No.: 10/797,775
Filed: March 10, 2004

1. (Previously Presented) A vehicle floor mat, comprising:
a pliable layer configured to overlie an area of a vehicle floor; and
a rigid member attached to a portion of the pliable layer, wherein the rigid member has a width less than a width and length of the pliable layer, but sufficient to span a recessed portion in the vehicle floor area such that the pliable layer is rendered substantially non-pliable above the recessed portion, and such that the floor mat is self-supporting and can independently support a load placed thereon above the recessed portion, without any external support from within the recessed portion.
2. (Original) The vehicle floor mat of Claim 1, wherein the rigid member is at least partially disposed within the pliable layer.
3. (Original) The vehicle floor mat of Claim 1, wherein the rigid member comprises material selected from the group consisting of thermoplastic and thermosetting polymers, glass reinforced thermoset rubber, glass reinforced polypropylene, wood, and metal.
4. (Original) The vehicle floor mat of Claim 1, wherein the pliable layer comprises material selected from the group consisting of natural and synthetic polymers.
5. (Original) The vehicle floor mat of Claim 1, wherein the pliable layer comprises rubber.
6. (Original) The vehicle floor mat of Claim 1, wherein the pliable layer has opposite first and second surfaces, and wherein carpeting is disposed on the pliable layer first surface.
7. (Original) The vehicle floor mat of Claim 1, wherein the rigid member comprises a plurality of spaced-apart apertures formed therethrough.

8. (Original) The vehicle floor mat of Claim 1, further comprising a second pliable layer pivotally secured to a peripheral edge portion of the pliable layer, wherein the second pliable layer is movable between a stored position overlying the pliable layer in face-to-face relationship therewith and an operative position substantially coplanar with the pliable layer.

9. (Previously Presented) The vehicle floor mat of Claim 8, wherein a second rigid member is attached to the second pliable layer, and wherein the second rigid member has a width less than a width and length of the second pliable layer, but configured to span a second recessed portion in the vehicle floor area such that the floor mat is self-supporting and can independently support a load placed thereon above the second recessed portion, without any external support from within the second recessed portion.

10. (Original) The vehicle floor mat of Claim 9, wherein the second rigid member is at least partially disposed within the second pliable layer.

11. (Original) The vehicle floor mat of Claim 9, wherein the second rigid member comprises material selected from the group consisting of thermoplastic and thermosetting polymers, glass reinforced thermoset rubber, glass reinforced polypropylene, wood, and metal.

12. (Original) The vehicle floor mat of Claim 9, wherein the second pliable layer comprises material selected from the group consisting of natural and synthetic polymers.

13. (Original) The vehicle floor mat of Claim 8, wherein the second pliable layer comprises rubber.

14. (Original) The vehicle floor mat of Claim 8, wherein the second pliable layer has opposite first and second surfaces, and wherein carpeting is disposed on the second flexible member first surface.

15. (Original) The vehicle floor mat of Claim 9, wherein the second rigid member comprises a plurality of spaced-apart apertures formed therethrough.

16. (Original) The vehicle floor mat of Claim 8, wherein the second pliable layer is pivotally secured to the peripheral edge via a hinge.

17. (Original) The vehicle floor mat of Claim 16, wherein the hinge comprises carpeting disposed on the first and second pliable layers.

18. (Previously Presented) A vehicle floor mat, comprising:
a pliable layer configured to overlie an area of a vehicle floor; and
a rigid member disposed within the pliable layer, wherein the rigid member comprises a plurality of spaced-apart apertures formed therethrough, wherein the rigid member has a width less than a width and length of the pliable layer, but sufficient to span a recessed portion in the vehicle floor area such that the pliable layer is rendered substantially non-pliable above the recessed portion, and such that the floor mat is self-supporting and can independently support a load placed thereon above the recessed portion, without any external support from within the recessed portion.

19. (Original) The vehicle floor mat of Claim 18, wherein the rigid member comprises material selected from the group consisting of thermoplastic and thermosetting polymers, glass reinforced thermoset rubber, glass reinforced polypropylene, wood, and metal.

20. (Original) The vehicle floor mat of Claim 18, wherein the pliable layer comprises material selected from the group consisting of natural and synthetic polymers.

21. (Original) The vehicle floor mat of Claim 18, wherein the pliable layer comprises rubber.

22. (Original) The vehicle floor mat of Claim 18, wherein the pliable layer has opposite first and second surfaces, and wherein carpeting is disposed on the pliable layer first surface.

23. (Previously Presented) A vehicle floor mat, comprising:
a first pliable layer configured to overlie an area of a vehicle floor;
a second pliable layer pivotally secured to the first pliable layer and movable between a stored position overlying the first pliable layer in face-to-face relationship therewith and an operative position substantially coplanar with the first pliable layer;
a first rigid member disposed within the first pliable layer; and
a second rigid member disposed within the second pliable layer;
wherein the first and second rigid members each have a width less than a width and length of the first and second pliable layers, but sufficient to span a recessed portion in the vehicle floor area such that the respective first and second pliable layers are rendered substantially non-pliable above the recessed portion, and such that the floor mat is self-supporting and can independently support a load placed thereon above the recessed portion, without any external support from within the recessed portion.

24. (Original) The vehicle floor mat of Claim 23, wherein the first and second rigid members each comprise material selected from the group consisting of thermoplastic and thermosetting polymers, glass reinforced thermoset rubber, glass reinforced polypropylene, wood, and metal.

25. (Original) The vehicle floor mat of Claim 23, wherein the first and second pliable layers each comprise material selected from the group consisting of natural and synthetic polymers.

26. (Original) The vehicle floor mat of Claim 23, wherein the first and second pliable layers each comprise rubber.

27. (Original) The vehicle floor mat of Claim 23, wherein the first and second pliable layers each have opposite first and second surfaces, and wherein carpeting is disposed on the each pliable layer first surface.

28. (Original) The vehicle floor mat of Claim 23, wherein the first and second rigid members each comprise a plurality of spaced-apart apertures formed therethrough.

29. (Previously Presented) A vehicle floor mat, comprising:
a pliable layer configured to overlie an area of a vehicle floor; and
a plurality of adjacent, spaced-apart rigid members attached to the pliable layer, wherein each rigid member has a width less than a width and length of the pliable layer, but sufficient to span a recessed portion in the vehicle floor area such that the pliable layer is rendered substantially non-pliable above the recessed portion, and such that the floor mat is self-supporting and can independently support a load placed thereon above the recessed portion, without any external support from within the recessed portion.

30. (Previously Presented) The vehicle floor mat of Claim 29, wherein the rigid members are at least partially disposed within the pliable layer.

31. (Original) The vehicle floor mat of Claim 29, wherein each rigid member comprises material selected from the group consisting of thermoplastic and thermosetting polymers, glass reinforced thermoset rubber, glass reinforced polypropylene, wood, and metal.

32. (Original) The vehicle floor mat of Claim 29, wherein each pliable layer comprises material selected from the group consisting of natural and synthetic polymers.

33. (Original) The vehicle floor mat of Claim 29, wherein the pliable layer comprises rubber.

34. (Original) The vehicle floor mat of Claim 29, wherein the pliable layer has opposite first and second surfaces, and wherein carpeting is disposed on the pliable layer first surface.

35. (Original) The vehicle floor mat of Claim 29, wherein each rigid member comprises a plurality of spaced-apart apertures formed therethrough.

36. (Previously Presented) A vehicle, comprising:
a floor having a recessed portion; and
a floor mat overlying the recessed portion in the vehicle floor, wherein the floor mat comprises:

a pliable layer; and
a rigid member attached to a portion of the pliable layer, wherein the rigid member has a width less than a width and length of the pliable layer, but sufficient to span the recessed portion such that the pliable layer is rendered substantially non-pliable above the recessed portion, and such that the floor mat is self-supporting and can independently support a load placed thereon above the recessed portion, without any external support from within the recessed portion.

37. (Previously Presented) A vehicle, comprising:
a floor having a recessed portion; and
a floor mat overlying the recessed portion in the vehicle floor, wherein the floor mat comprises:

a pliable layer; and
a rigid member disposed within the pliable layer, wherein the rigid member comprises a plurality of spaced-apart apertures formed therethrough, wherein the rigid member has a width less than a width and length of the pliable layer, but sufficient to span the recessed portion such that the pliable layer is rendered substantially non-pliable above the recessed portion, and such that the floor mat is self-supporting and can independently support a load

placed thereon above the recessed portion, without any external support from within the recessed portion.

38. (Previously Presented) A vehicle, comprising:
a floor having a recessed portion; and
a floor mat overlying the recessed portion in the vehicle floor, wherein the floor mat comprises:

a first pliable layer;
a second pliable layer pivotally secured to the first pliable layer and movable between a stored position overlying the first pliable layer in face-to-face relationship therewith and an operative position substantially coplanar with the first pliable layer;
a first rigid member disposed within the first pliable layer; and
a second rigid member disposed within the second pliable layer;
wherein the first and second rigid members each have a width less than a width and length of the first and second pliable layers, but sufficient to span the recessed portion such that the respective first and second pliable layers are rendered substantially non-pliable above the recessed portion, and such that the floor mat is self-supporting and can independently support a load placed thereon above the recessed portion, without any external support from within the recessed portion.

39. (Previously Presented) A vehicle, comprising:
a floor having a recessed portion; and
a floor mat overlying the recessed portion in the vehicle floor, wherein the floor mat comprises:

a pliable layer; and
a plurality of adjacent, spaced-apart rigid members attached to the pliable layer, wherein each rigid member has a width less than a width and length of the first and second pliable layer, but sufficient to span the recessed portion such that the pliable layer is rendered substantially non-pliable above the recessed portion, and such that the floor mat is self-supporting and can

independently support a load placed thereon above the recessed portion, without any external support from within the recessed portion.

EVIDENCE APPENDIX
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None.

RELATED PROCEEDINGS APPENDIX
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None.